



भारतीय आयुर्विज्ञान अनुसंधान परिषद
INDIAN COUNCIL OF MEDICAL RESEARCH

स्वास्थ्य अनुसंधान विभाग (स्वास्थ्य एवं परिवार कल्याण मंत्रालय)

वी रामलिंगस्वामी भवन, अन्सारी नगर, नई दिल्ली - 110029

DEPARTMENT OF HEALTH RESEARCH (MINISTRY OF HEALTH & FAMILY WELFARE)
V. RAMALINGASWAMI BHAWAN, ANSARI NAGAR, NEW DELHI-110029

No.E16/68/2022-Admn.

Dated:22/03/2023

To

The Directors/Directors-in-charge of
All Institutes/Centers of ICMR

Sir/Madam,

Please find enclosed the following letters which have been received from different Ministries/Departments for information and necessary action:

S.No	Reference No. & Date	Name of Ministry	Subject
1.	D.O. No.LA-84/3/2023-Adv. 'A' Dated: 06.02.2023	Department of Legal Affairs, Ministry of Law & Justice, Shastri Bhawan, Dr. R.P. Road New Delhi	Regarding AMRCD/AMRD mechanism
2.	O.M. No. C.18017/02/2022- Legal Cell Dated: 17.02.2023	Ministry of Health & F.W., Department of Health & F.W., Legal Cell, Nirman Bhawan, New Delhi-110011	Reiteration of timelines of Department of Legal Affairs/Cabinet Secretariat to be strictly adhere to by all the stakeholders to avoid delay in filing SLPs, Appeals, Reply/Counter-affidavits etc. in Central Government Litigation-reg.

Yours faithfully

(Jagdish Rajesh)

Assistant Director General (Admin.)

Encl: As above

- Copy to:
1. PS to DG/Sr. DDG(A)/Sr. FA
 2. All Divisional Heads
 3. DDG(A)/ ADG(A)
 4. Dr. L.K. Sharma, Scientist "E"-soft copy of the same has been mailed at your email ID (Sharma.lk@icmr.gov.in) for website upload



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DEPARTMENT OF HEALTH RESEARCH (MINISTRY OF HEALTH & FAMILY WELFARE)
V. RAMALINGASWAMI BHAWAN, ANSARI NAGAR, NEW DELHI - 110029

क्रमांक.E16/68/2022-प्रशासन

दिनांक:22/03/2023

सेवा में,

निदेशक/प्रभारी निदेशक
परिषद के सभी संस्थान/केन्द्र

महोदय/महोदया,

विभिन्न मंत्रालयों/विभागों से प्राप्त निम्नलिखित पत्र, सूचना एवं आवश्यक कार्यवाही के लिए संलग्न है।

Sl. No	Reference No. & Date	Name of Ministry	Subject
1.	D.O. No.LA-84/3/2023-Adv. 'A' Dated: 06.02.2023	Department of Legal Affairs, Ministry of Law & Justice, Shastri Bhawan, Dr. R.P. Road New Delhi	Regarding AMRCD/AMRD mechanism
2.	O.M. No. C.18017/02/2022-Legal Cell Dated: 17.02.2023	Ministry of Health & F.W., Department of Health & F.W., Legal Cell, Nirman Bhawan, New Delhi-110011	Reiteration of timelines of Department of Legal Affairs/Cabinet Secretariat to be strictly adhere to by all the stakeholders to avoid delay in filing SLPs, Appeals, Reply/Counter-affidavits etc. in Central Government Litigation-reg.

भवदीय,

राजेश

जगदीश राजेश

सहायक महानिदेशक (प्रशासन)

अनुलग्नक:यथोक्त

प्रतिलिपि: 1. महानिदेशक/वरि.उपमहानिदेशक (प्रशा.)/वरि.वित्त सलाहकार के निजी सचिव

2. परिषद के सभी प्रभाग प्रमुख

3. उपमहानिदेशक (प्रशा.)/सहा. महानिदेशक (प्रशा.)

4. डॉ.एल.के शर्मा, वैज्ञानिक ई: वैबसाइट पर अरपलोड करने के लिए ईमेल आईडी

(sharma.lk@icmr.gov.in) पर मेल कर दिया गया है।



डा. नितेन चन्द्र, भा.प्र.से.
सचिव
Dr. Niten Chandra, IAS
Secretary

D.G. ICMR OFFICE
Diary No. 651455
Date: 21/2/23



विधि कार्य विभाग
विधि और न्याय मंत्रालय
भारत सरकार
DEPARTMENT OF LEGAL AFFAIRS
MINISTRY OF LAW & JUSTICE
GOVERNMENT OF INDIA

D.O No. LA-84/3/2023-Adv. 'A'

Dated: February 6, 2023

Dear Secretary,

It has been the endeavour of the Government to ensure that disputes between various Ministries/Departments/CPSEs/Boards/Authorities etc., under the administrative control of the various Ministries/Departments do not reach any Court.

2. A meeting of Committee of Secretaries (CoS) Chaired by Cabinet Secretary was held on 23.01.2020, wherein it was recommended that the existing AMRCD mechanism be made applicable to disputes other than those related to taxation, and extended to all Ministries/Departments. Subsequently, to give effect to the decision, DO Letter dated 28.02.2020 and the O.M dated 31.03.2020 were issued by the Department of Legal Affairs.

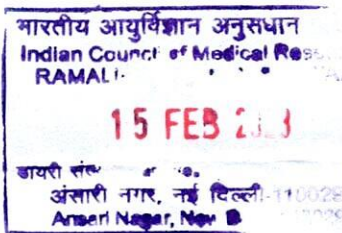
3. In an Order dated 01.02.2023 passed by the Hon'ble Supreme Court of India in C.A. No.1400-1438/2017, Rashtriya ISPAT Nigam Ltd. vs. UOI, the Court has observed as under:

"....., we find it appropriate that in a matter of the present nature where the petitioner is a Public Sector Undertaking and the respondent is Western Railways is under the Union of India, we expect that a situation of this nature should be discussed amongst themselves and a procedure be laid down so that the matter could be resolved and disputes in future also could be avoided. For doing so, they may also discuss with regard to the present claim which has been made for an amicable settlement."

4. All the Ministries/Departments are requested to ensure that the inter-se disputes of various Ministries/Departments/CPSEs etc., other than those related to taxation, are resolved through the existing AMRCD/AMRD mechanism.

5. The Ministries/Departments shall accordingly issue necessary instructions in this regard to all CPSEs/Boards/Authorities etc., under their administrative control.

Warm regards,



JS (GN)/JS (AW)
S.D.D. (A)

Yours sincerely,

N. Chandra

(Dr. Niten Chandra)

All Secretaries to the Government of India (As per standard list)

Copy for information to: Shri Rajiv Gauba, Cabinet Secretary, Rashtrapati Bhawan, New Delhi

404, चौथी मंजिल, 'ए' विंग, शास्त्री भवन, डा. राजेन्द्र प्रसाद रोड, नई दिल्ली-110 001
Room No. 404, 4th Floor, 'A' Wing, Shastri Bhawan, Dr. R.P. Road, New Delhi-110 001
Tel. : +91-11-23384205, 23387908, Fax : +91-11-23384403, E-mail : secylaw-dla@nic.in

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File No.C.18017/02/2022- Legal Cell
भारत सरकार / GOVERNMENT OF INDIA
स्वास्थ्य एवं परिवार कल्याण मंत्रालय / MINISTRY OF HEALTH & F.W.
स्वास्थ्य एवं परिवार कल्याण विभाग / DEPARTMENT OF HEALTH & F.W.
(लीगल सेल) / (Legal Cell)

Nirman Bhawan, New Delhi-110011
Dated 17th February, 2023.

OFFICE MEMORANDUM

Subject: - Reiteration of timelines of Department of Legal Affairs/Cabinet Secretariat to be strictly adhere to by all the stakeholders to avoid delay in filing SLPs, Appeals, Reply/Counter-affidavits etc. in Central Government Litigation.

The undersigned is directed to forward herewith a copy of D.O. Letter No.J-12012/2/2023-Judicial dated 2nd February, 2023 received from Secretary, Department of Legal Affairs, Ministry of Law and Justice, reiterating therein the timelines issued by Department of Legal Affairs/Cabinet Secretariat to be strictly adhere to by all the Ministries/Departments to avoid delay in filing SLPs, Appeals, Reply/Counter-Affidavits etc. in Central Government Litigation.

2. All the Programme Divisions/Organisations/Institutes/Attached & Subordinate Offices/CPSU's under Ministry of Health & Family Welfare are requested to strictly comply the following timelines issued by the DoLA/Cabinet Secretariat from time to time to avoid delay in filing SLPs, Appeals, Reply/Counter-Affidavits etc. in Central Government Litigation, where limitation period is 90 days:-

Sl.No.	Action to be taken	SLP/Appeals in SC	Appeal/Criminal Revision in HC
1.	Examination and taking administrative decision by the Ministry/Departments	15 days	15 days
2.	Examination and advice/opinion by the DoLA and the Law Officers	15 days	15 days
3.	Drafting and forwarding the same to the concerned Ministry/Departments	15 days	15 days
4.	Approval of the draft by the concerned Ministry/Departments and providing necessary documents	5 days	5 days
5.	Preparing paper book and filing	10 days	10 days

3. In other matters, like filing statutory appeals, review and other affidavits, where limitation period is 60 days or 30 days or any specified time given by the court, the above timeline may be reduced correspondingly.

Signed by Yogender Kumar
Date: 17-02-2023 10:42:31

Reason: Approved
Yogender Kumar
Under Secretary (Legal Cell)

Encl: As stated.

To,

Dir(AVG)/ Dir(RP)/ Dir(NKB)/ Dir(ERS)/ Dir(RK)/ Dir(SR)/ Dir(NG)/ Dir(GJ)/ Dir(NC)/ Dir(HM)/ Dir(AA)/ Dir(SS)/ Dir(DVKR)/ Dir(BK)/ DS(KKK)/ DS(NB)/ DS(RK)/ DS(SN) / DS(SK)/ DS(NKS)/ DS(ML)/ DS(MM)/ DS(SK)/ DS(PK)/ DS(PM)/ DS(AKS)/ JD(DK)/ DS(RK)-NACO/ DS(SNJ)-DHR/ DS(DK)/ DS(MKS)

Secretary (DHR)/ DG-Dte.GHS/ AS(LA)/ AS(VHZ)/ JS(VC)/ JS(MKB)/ JS(VJ)/ JS(PAB)/ JS(RM)/ JS(GM)/JS(MK)/ JS(SM)

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JS(GN)/JS(AN)/Sr.DDG, ICR

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Mr Sumit

Sumit
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डा० नितेन चन्द्र, भा.प्र.से.
सचिव
Dr. Niten Chandra, IAS
Secretary



विधि कार्य विभाग
विधि और न्याय मंत्रालय
भारत सरकार
DEPARTMENT OF LEGAL AFFAIRS
MINISTRY OF LAW & JUSTICE
GOVERNMENT OF INDIA



DO No. J-12012/2/2023-Judicial

Office of Secretary (L & FW)

Dated the 02nd February, 2023

FTS No. 2999598/23

Date 2/2

Dear Secretary,

It has been noticed by various field offices of Ministry of Law & Justice and by Law Officers / Panel Counsel who appear on behalf of Union of India before various courts / tribunals that there are a number of occasions in which SLPs, Appeals, the reply / counter-affidavits etc. are not filed in the court within the stipulated period resulting in adverse orders by the courts.

2. This Department has been issuing instructions in this regard from time to time. Two such instructions were issued in the year 2015 & 2016 vide DO letter No. 35(1)/2015-Judl. 27th August, 2015 and No. J-12/2/2016-Judl. dated 9th June, 2016. Besides, Cabinet Secretariat has also issued detailed guidelines in this regard vide DO letter No. 1/50/3/2016-Cab. dated 16th June, 2016 and No. 403/1/5/2016-CA.V dated 25th November, 2016. All these instructions are available on website of this Department i.e. www.legalaffairs.gov.in under tab 'Judicial Section' in the link 'Circulars pertaining to litigation'. Despite the instructions issued as above, incidents of delay in filing SLPs, Appeals, reply/counter-affidavits etc. occur.

3. In order to avoid delay in Central Government litigation, where limitation period is 90 days, following timeline may be adhered to: -

SN.	Action to be taken	SLP / Appeals in SC	Appeal / Criminal Revision in HC
1.	Examination and taking administrative decision by the Ministry / Departments	15 days	15 days
2.	Examination and advice / opinion by the DoLA and the Law Officers	15 days	15 days
3.	Drafting and forwarding the same to the concerned Ministry / Departments	15 days	15 days
4.	Approval of the draft by the concerned Ministry / Departments and providing necessary documents	5 days	5 days
5.	Preparing paper book and filing	10 days	10 days

4. In other matters, like filing statutory appeals, review and other affidavits, where limitation period is 60 days or 30 days or any specified time given by the court, the above time line may be reduced correspondingly.

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SS(H) 3/2

JS (RM)

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कमरा नं. 404, चौथी मजिल, 'ए' विंग, शास्त्री भवन, डा० राजेन्द्र प्रसाद रोड, नई दिल्ली-110 001
Room No. 404, 4th Floor, 'A' Wing, Shastri Bhawan, Dr. R.P. Road, New Delhi-110 001
Tel. : +91-11-23384205, 23387908, Fax : +91-11-23384403, E-mail : secylaw-dla@nic.in

: 2 :

5. You are requested to bring these time lines to the notice of all officers in your Ministry / Department including Public Sector Undertakings (PSUs) under your administrative control for strict compliance.

With regards,

N. Chandra
(Dr. Niten Chandra)

To

The Secretaries of all the Ministries / Department.

Copy to:

1. PS to ML&J / PPS to MoSL&J
2. Shri Rohit Singh, Additional Secretary, Cabinet Secretariat
3. Shri C. Sridhar, Joint Secretary, Prime Minister's Office
4. All the Law Officers.
5. All the Dy. Solicitor General of India in various High Courts.
6. The In-charge, Branch Secretariat at Mumbai, Kolkata, Chennai and Bengaluru.
7. The In-charge, Litigation (High Court/CAT/Lower Court).

